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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

MARC SPITZER, Chairman
WILLIAM A. MUNDELL
JEFF HATCH-MILLER
MIKE GLEASON
KRISTIN K. MAYES

In the matter of:

PHILIP WILLIAM MERRILL
3788 N. 156th Drive
Goodyear, Arizona 85338
CRD #2436444,

Respondent.

DOCKET NO. S-03450A-02-0000

FINAL ORDER OF RESTITUTION

The Arizona Corporation Commission ("Commission"), having considered the entire record herein and being fully advised in the premises, finds, concludes and orders, based upon Decision No. 66614 in this matter, entered on December 9, 2003, as follows:

FINDINGS OF FACT

1. We find that the Respondent should be ordered to pay restitution to the State of Arizona in the amount of \$2,424.26, which includes pre-judgment interest, regarding Beatrice DuChene.

2. We find that the Respondent should be ordered to pay restitution to the State of Arizona in the amount of \$39,243.46, which includes pre-judgment interest, regarding Viola Brotherson.

CONCLUSIONS OF LAW

1. Restitution in the amount of \$2,424.26, regarding Beatrice Du Chene, is reasonable in this case.

2. Restitution in the amount of \$39,243.46, regarding Viola Brotherson, is reasonable in this case.

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DECISION NO. 66645

ORDER

IT IS THEREFORE ORDERED that pursuant to A.R.S. § 44-2032, Respondent shall pay restitution to the State of Arizona, regarding Beatrice DuChene, in the amount of \$2,424.26, within sixty days of the effective date of this Order.

IT IS FURTHER ORDERED that pursuant to A.R.S. § 44-2032, Respondent shall pay restitution to the State of Arizona, regarding Viola Brotherson, in the amount of \$39,243.46, within sixty days of the effective date of this Order.

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IT IS FURTHER ORDERED that if Respondent has not paid the restitution ordered within sixty days of the effective date of this Order, the unpaid amount shall bear interest at the rate of five percent per year.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION

<u>/s/ Marc Spitzer</u>	<u>William Mundell</u>	<u>Jeffrey Hatch-Miller</u>
CHAIRMAN	COMMISSIONER	COMMISSIONER

<u>Lowell Gleason</u>	<u>Kristin Mayes</u>
COMMISSIONER	COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this 22nd day of December, 2003.

/s/ Brian C. McNeil
BRIAN C. McNEIL
Executive Secretary

DISSENT _____

DISSENT _____

This document is available in alternative formats by contacting Yvonne L. McFarlin, Executive Assistant to the Executive Secretary, voice phone number 602-542-3931, E-mail ymcfarlin@cc.state.az.us.
(PTJ)